

Court of Appeals, State of Michigan

ORDER

People of MI v Larry Buttrom Jr

Docket No. 280067

LC No. 06-210785-FC

Joel P. Hoekstra
Presiding Judge

David H. Sawyer

Jane E. Markey
Judges

Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that the May 9, 2007 amended judgment of sentence is VACATED and the matter is REMANDED to the sentencing court to rescore Offense Variable 8 with zero points, to recalculate the guidelines recommendation in light of this scoring change and to resentence defendant. *People v Kimble*, 470 Mich 305; 684 NW2d 669 (2004). The record does not support the 15-point score the trial court assigned the variable. MCL 777.38; *People v Cox*, 268 Mich App 440; 709 NW2d 152 (2005). This order has immediate effect. MCR 7.215(F)(2). We do not retain jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

SEP 28 2007

Date

Sandra Schultz Mengel
Chief Clerk